

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 1581.00
COMPLAINT INVESTIGATOR: Brian Simkins
DATE OF COMPLAINT: May 26, 2000
DATE OF REPORT: June 16, 2000
REQUEST FOR RECONSIDERATION: no
DATE OF CLOSURE: July 9, 2000

COMPLAINT ISSUES:

Whether the Lafayette School Corporation and the Greater Lafayette Area Special Services violated:

511 IAC 7-10-3(j) with regard to the school's alleged failure to make full payment on an independent educational evaluation that it agreed would be at public expense.

FINDINGS OF FACT:

1. The complainant alleges that the special education planning district failed to pay the portion that the parent's insurance did not pay for an independent evaluation. The student's independent evaluation was conducted on January 29 and February 6, 1998.
2. The director states the previous director agreed that the special education planning district would pay the cost of an independent evaluation not covered by the parent's insurance. The cost of the independent evaluation was \$1000.00, and the parent's insurance paid 80% of the amount charged. The special education planning district paid the remaining \$200.00.
3. According to the director and the agency that completed the independent evaluation, the parent requested a meeting with the psychologist after the evaluation was completed to review the results of the testing. The agency charged a \$90.00 consulting fee for this meeting. The parent's insurance paid \$72.00 of the cost incurred, leaving a balance of \$18.00. The director states the special education planning district did not agree to pay for consulting fees, but did issue a check to the agency's collection service on March 13, 2000, for \$18.00. The director is of the opinion the special education planning district was not obligated to pay the \$18.00, but chose to do so to get the issue resolved.
4. Upon receipt of the \$18.00 check, the collection service credited the payment to the wrong account; consequently, the parent was under the impression the bill had never been paid. In an attempt to correct the problem, staff from the special education planning district called both the agency and the collection service and explained the billing mistake. A copy of the canceled check was also faxed to the office manager to document that the bill had been paid in full.

CONCLUSION:

Findings of Fact #1 through #4 indicate the special education planning district complied with the agreement to pay charges for an independent evaluation that were not covered by the parent's insurance. Therefore, no violation of 511 IAC 7-10-3(j) is found.

The Department of Education, Division of Special Education, requires no corrective action based on the Findings of Fact and Conclusions listed above.